

**DODGE COUNTY PLANNING, DEVELOPMENT AND PARKS COMMITTEE
MINUTES
October 7, 2013**

The Dodge County Planning, Development and Parks Committee met on October 7, 2013 at 7:00 p.m. on the 1st Floor of the Administration Building, Juneau, Wisconsin.

Chairman Schaefer called the meeting to order. Roll Call was taken. Members present were Tom Schaefer, Allen Behl, Randy Grebel, Joseph Marsik and William Muche. The staff present at the request of the Chairman were Joyce Fiacco, Bill Ehlenbeck and Joseph Giebel.

The Chairman asked the staff to confirm compliance with the open meeting laws and the public hearing notice requirements. Mr. Giebel noted that the meeting was properly noticed in accord with the open meeting law and noted that the required notices for the public hearings listed on the agenda were posted, mailed and published in accord with the statute and code requirements.

The agenda was reviewed and approved as posted.

The hearing procedures were read into the record.

PUBLIC HEARING

Leaver Land Surveying, agent for Stanley and Terri Steinhorst – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the creation of a 2.1-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the NW ¼, NW ¼, Section 4, Town of Calamus, the site address being N7316 County Road FW.

Motion by Grebel to approve the conditional use permit to allow for the creation of a nonfarm residential lot within the A-1 Prime Agriculture zoning district subject to the following conditions:

1. The applicant shall obtain the required land division approvals for the proposed lot from the County and the Town of Calamus, prior to the creation of these lots;
2. The proposed non-farm residential lot shall not exceed 4.286-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
3. Only one single family residential unit may be located on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
5. A "Notice of Zoning Limitations" document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the "base farm tract" which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract:
 - o 008-1113-0422-000; 0421-000; 0423-000; 0511-000
6. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;

7. The decision of the Committee is valid for one year.

Second by Marsik Vote 5-0 Motion carried.

PUBLIC HEARING

Dodge County Planning, Development and Parks Committee – Petition to amend the Wind Energy Overlay District provisions of the Land Use Code, Dodge County, Wisconsin in order to bring the wind energy provisions of the Code into compliance with the applicable Wisconsin State Statutes and the Wisconsin Administrative Code. The wind energy provisions of the Code are enforced within the Towns of Ashippun, Calamus, Lebanon, Leroy, Lomira, Oak Grove, Rubicon, Shields and Trenton.

Motion by Behl to submit a favorable recommendation to the County Board on the adoption of the amendments as proposed.

Second by Muche Vote 5-0 Motion carried.

PUBLIC HEARING

Sal Okon, agent for Robert and Kathleen Schraufnagel Trust – Request to rezone 2.5-acres of land from the A-1 Prime Agriculture Zoning District to the A-2 General Agriculture Zoning District under the Land Use Code, Dodge County, Wisconsin to allow for the creation of a non-farm residential lot at this location. The property is located in part of the NE ¼, SE ¼, Section 8, T13N, R16E, Town of Leroy, the site address being N11414 County Road Z.

Motion by Marsik to submit a favorable recommendation to the County Board on the petition to rezone 2.5-acres of land from the A-1 Prime Agriculture Zoning District to the A-2 General Agriculture Zoning District to allow for the creation of a non-farm residential lot at this location.

Second by Muche Vote 5-0 Motion carried.

PUBLIC HEARING

Josh Wiesner, agent for JDW Properties LLC - Request to rezone 10.3-acres of land from the A-2 General Agriculture Zoning District to the C-2 Extensive Commercial Zoning District under the Land Use Code, Dodge County, Wisconsin in order to bring the commercial marina use of the property into better compliance with the Code. The property is located in part NE ¼, SW ¼, Section 11, Town of Lomira, the address being N11463 Columbia Drive.

Motion by Grebel to submit a favorable recommendation to the County Board on the petition to rezone 10.3-acres of land from the A-2 General Agriculture Zoning District to the C-2 Extensive Commercial Zoning District in order to bring the commercial marina use of the property into better compliance with the Code.

Second by Muche Vote 5-0 Motion carried.

ADMINISTRATIVE BUSINESS - Parks

1. Request to re-appropriate funds for Harnischfeger Bathroom Project - Withdrawn
Bill Ehlenbeck reviewed the preliminary cost estimates for the Harnischfeger park improvement projects with the Committee. The preliminary cost estimates are substantially higher than what was budgeted; however, Bill indicated that these are only estimate costs at this time. Bill would like to bid out the project at this time in order to obtain more accurate

cost estimates. Once the bids are reviewed, if needed, a request for re-appropriation of funds for the project will be submitted for review by the Committee. The Committee directed Bill to review the well and water fountain plans to see if savings can be realized with some changes.

2. Review Proposed Mayville Bike Route Project

Bill provided the Committee with information on a group of citizens that are in the beginning stages of planning for a proposed Mayville Bike Route which would run from Mayville to the Horicon Marsh Education and Visitor Center along Hwy 28. The group is looking at a Federal Highway grant to cover up to 80% of the cost of the trail. The group would be responsible to raise the remaining 20% of the costs. Bill also noted that the grants would require a municipality to be used as a signatory for the grant application and take responsibility for the project. Since the project would cross City and Town boundaries and is part of the regional concept of trail linkages between the Wild Goose Trail and communities, the County seems to be the logical caretaker of such a facility once constructed. Bill will obtain additional information and have further discussions on the project and will pass on the information to the Committee as well as any needed resolutions.

3. Park Updates

Bill provided the Committee with an update on the park projects. The flooring, lighting and the concrete work were recently completed at the north barn at Harnischfeger Park in time for Fallfest. Dean Becker acted as host and tour guide for the barn and farm equipment tours at FallFest this past weekend. It was well attended, though down a bit from last year due to the threat of rain and storms. The bridge in the Town of Burnett along the Wild Goose State Trail has been re-decked and the work on the portion of the trail going through the City of Juneau has begun. The base of the trail has been completed and the final limestone fill will be added later this year. The boat ramp at Derge Park should be completed next month once the DNR permits are received. The plans and costs for the electric campsites reconfiguration at Ledge park are nearing completion. Work is expected to start by the end of the month. Three additional electrical sites are to be added. Combined camping revenue at all parks is currently \$3,300.00 above the budgeted amount for the year. Ledge has already surpassed record camping revenues this year. Bill reported that the Emerald Ash Borer has now been found in Dodge County in Watertown. No immediate changes to the firewood ban in the parks are anticipated until the bug is located in or around the parks. Bill hopes to step up tree planting to lessen the blow of the expected loss of all ash trees in the park in coming years.

OTHER BUSINESS

1. Approve Wisconsin Fund Grant Payout Request.

Motion by Behl to approve "Resolution 201314 - final payment" of Wisconsin Fund Grant 201314 for the 2012 Fiscal year in the amount of \$4,352.00 to Robert H. Neitzel, Town of Lowell. Second by Marsik Vote: 5-0 Motion carried.

2. Approve Wisconsin Fund Grant Payout Request.

Motion by Muche to approve "Resolution 201314 - Payout Request" of Wisconsin Fund Grant 201314 for the 2013 Fiscal year in the amount of \$5,368.00 to Roberta Edming, Town of Burnett and \$3,806.00 to Jermaine and Rose Schears, Town of Beaver Dam .
Second by Grebel Vote: 5-0 Motion carried.

3. Discussion of the new State and Federal Wireless Telecommunications Siting Laws

Mr. Giebel informed the Committee that there have been substantial changes to the state and federal laws which regulate wireless communications towers. The changes to the state statutes were adopted with the state budget bill and took effect on July 2, 2013 and the changes to the federal laws took effect on February 22, 2012. Mr. Giebel noted that the new laws set the minimum and maximum standards and review procedures that the County must follow if the County chooses to enforce an ordinance regulating wireless communications towers. He also noted that the new law includes a long list of issues that cannot be considered by the municipality when reviewing a permit application, including but not limited to the location of the tower within the municipality, aesthetic concerns, height limits, co-location requirements and setback requirements if the tower is designed to fall within a specific fall zone. Mr. Giebel also informed the Committee that the County will be required to amend the current regulations in order to bring the Land Use Code into compliance with the state and federal requirements if the County intends to regulate these structures.

Mr. Giebel asked the Committee for input on whether the Code should be re-drafted as a stand-alone Ordinance which can be adopted by any of the towns that wish to adopt the regulations or if the amended Code should be drafted to be enforced only in the Towns that have adopted the County's Land Use Code. Mr. Giebel noted that a County Ordinance regulating these structures is not enforceable in a Town that adopts their own tower regulations and both the Town and County ordinances would be required to contain the same standards dictated by the State.

The Committee directed the staff to draft an ordinance that would be enforced only in the nine towns that have adopted County Zoning and to submit the petition to the Committee for further review.

4. The minutes from the September 16, 2013 meeting were reviewed by the Committee.

Motion by Grebel to approve the minutes as written.

Second by Marsik Vote: 5-0 Motion carried.

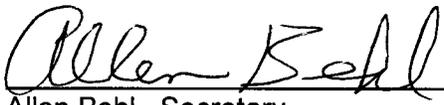
5. No Committee Member Reports

6. No additional Per Diems

Motion by order of the Chair to adjourn the meeting.

Meeting adjourned at 9:05 p.m.

Respectfully Submitted,


Allen Behl, Secretary

Disclaimer: The above minutes may be approved, amended or corrected at the next committee meeting.